

**Canada Border Services Agency
MEDIA LINES**

For use by CBSA spokespersons only

**Issue: Joint Ottawa Police/Bylaw/CBSA massage parlour
Illegal workers investigation**

Date: May 11, 2015.

Background: The Ottawa Police Service (OPS) Human Trafficking Unit, Canada Border Services Agency (CBSA) and Ottawa Bylaw Services completed a three-day Joint Community Safety Initiative focused on commercial massage parlours and body rub facilities from April 27 to 29, 2015. Twenty locations were inspected in the City of Ottawa resulting in eleven Bylaw charges for improper licensing. Eleven females were detained by the CBSA for immigration-related matters and all appeared for admissibility and detention hearings last week. The detentions were maintained for eleven individuals and all were issued removal orders. All eleven individuals were found to be working without being in possession of a valid work permit under section 41 a), 30(1) of the *Immigration and Refugee Protection Act* (IRPA).

Media: National Post

Questions and Answers :

Q1. What is happening with the 11 women?

All of the eleven people arrested were issued removal orders. It is not the practice of the CBSA to confirm/deny removal.

Q2. How often does the CBSA get involved?

Similar investigations took place in 2012 and in 2008 in Gatineau.

Q3. Regarding the RCMP investigations last month into illegal sex workers at numerous locations across Canada, what has happened to those women?

I said that would involve checking with numerous CBSA offices across Canada and we would not be able to provide that answer by the deadline.

Q4. Are there any initiatives in place to assist migrant sex workers who want to come forward to law enforcement?

Human trafficking is a serious issue that Canada continues to address through a variety of responses aimed at prevention, protecting the victims, and bringing its perpetrators to justice. Anyone with information about suspicious cross-border or illegal immigration activity is encouraged to call the CBSA Border Watch toll-free line at 1-888-502-9060.

While this particular case does not indicate evidence of human trafficking, when the CBSA receives information that indicates that an individual may be the victim of human trafficking, the case is referred to CIC for an assessment. In cases where human trafficking has occurred, victims have the option of obtaining a temporary residence permit (TRP). For more information regarding temporary residence permits for victims of human trafficking, visit the [CIC web site](#).

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Responses:

The IRPA requires all foreign workers to have authorization to engage in employment in Canada.

Foreign nationals found to be working in Canada without proper authorization are in violation of the IRPA and may be issued a removal order and could be prosecuted.

The CBSA lays charges when there is sufficient evidence to support convictions for deliberate or willful violations of the IRPA.

The penalties for employers who fail to abide by the law range from summary to indictable convictions with a maximum penalty of a \$50,000 fine and two years' imprisonment.

Anyone with information about suspicious cross-border or illegal immigration activity is encouraged to call the CBSA Border Watch toll-free line at 1-888-502-9060.

The CBSA's mandate includes holding the employers of undocumented workers accountable in order to ensure the integrity of the immigration system, preserve favourable labour market conditions for Canadians, and protect Canadian businesses and workers from illegal operations."

General Admissibility

All persons seeking entry into Canada must report to the CBSA and must demonstrate they meet all requirements to enter and/or stay in Canada. CBSA officers at ports of entry are responsible for assessing the admissibility of persons seeking entry to Canada.

Admissibility of all persons is determined on a case-by-case basis and is based on the information made available to the border services officer at the time of entry.

Decisions to allow an individual to enter or remain in Canada are made in accordance with Canadian law. The CBSA is responsible for enforcing the terms of Canadian law and the Immigration and Refugee Protection Act (IRPA).

The CBSA continues to identify illegal foreign workers and hold the employers of undocumented workers accountable in order to ensure the integrity of the immigration system, preserve favourable labour market conditions for Canadians, and protect Canadian businesses and workers from illegal operations.

Detentions

The first objective of detentions is to protect the health and safety of Canadians and to maintain the security of Canadian society.

Detention is an essential tool to support the removal of inadmissible persons from Canada.

Officers have discretionary authority to detain foreign nationals and permanent residents when there are reasonable grounds to believe the person is inadmissible and:

- a danger to the public
- unlikely to appear (flight risk) for immigration processes
- unable to satisfy the officer of their identity (foreign nationals only)

Detainees must present before the Immigration and Refugee Board within set timelines – within the first 48hrs. If detention is continued, then they must present in the next 7 days and every 30 day thereafter.

IRPA Investigations

When a complaint or a tip regarding an IRPA contravention (MOC, illegal employment, etc) is received by the CBSA and where there is sufficient information, the Agency may investigate and gather evidence in efforts to substantiate the allegation.

The CBSA uses many investigative techniques in pursuing tips received from the public. Depending on the case and the situation, the CBSA may or may not interview the person making the complaint.

The CBSA's priority for enforcement action is high risk persons - those who pose a threat to national security, terrorists, war criminals, human rights violators, those involved in organized crime and criminals.

If pressed on a specific case/file:

It is not a practice of the CBSA to divulge whether one person or commercial entity is under investigation.

Questions and Answers

What is the process when the CBSA becomes aware of IRPA violations?

The CBSA is responsible for the enforcement of the *Immigration and Refugee Protection Act* (IRPA), and conducts investigations into possible violations of the IRPA when there is evidence or information of a violation.

When we become aware of situations of non-compliance with IRPA, we investigate and take the appropriate action mandated by law. The CBSA lays charges (initiate criminal prosecutions) when there is sufficient evidence to support convictions for deliberate or willful violations of the IRPA.

The CBSA works closely with other law enforcement agencies to detect, apprehend, and remove individuals that do not have the authority to be in Canada and who do not comply with IRPA.

Foreign nationals found to be working in Canada without proper authorization may be prosecuted and may be issued a removal order. Everyone ordered removed from Canada is entitled to due process before the law. Once an individual has exhausted all avenues, we expect the individual to respect our laws and leave Canada.

Q. How many people have been arrested?

Eleven people were arrested and remain in custody. They have all been found to be working illegally in Canada.

Q. What information lead you to organize this operation?

The original goal of the investigation was to identify victims of human trafficking.

Q. What will happen to those who have been arrested in the operation?

The CBSA will take the appropriate measures against those who do not respect IRPA. Foreign nationals found to be working in Canada without proper authorization are in violation of the IRPA and may be issued a removal order and could be prosecuted.

Q. What is the country of origin of the people who were arrested?

The country of origin is not important as the fact that these individuals were working illegally and our actions are aimed at any person who does not comply with IRPA. In this case, there 1 individual is from Korea, 1 from Taiwan, 4 from China and 5 from Hong Kong.

Q. When will those arrested be removed?

Any person subject to a removal order has the right to due process. All measures and decisions are subject to different levels of appeal. Once individuals have exhausted all legal avenues of recourse/due process, they are expected to respect our laws and leave Canada or be removed.

Q. Have some of those arrested already been removed?

All of the eleven people arrested were issued removal orders. Five individuals remain in detention and are scheduled for their next detention hearings on June 2, 3 and 5.

Q: Did these individuals have legal representation?

Yes, they all had legal representation from Edward Cheung and Arthur Ayers.

Q: When was the last time that investigations into this industry took place in the Ottawa area?

Similar investigations took place in 2012 and in 2008 in Gatineau when 17 people were arrested.

Q: What are the risks to these individuals in the countries they are being returned to?

Prior to removal, individuals may seek leave for judicial review, as well as administrative review procedures that assess the potential risk to the person of returning to the country of origin.

Pre-removal risk assessment is one of the safeguards in place to ensure people in need of protection are not removed. This assessment is conducted by officers of Citizenship and Immigration Canada.

Everyone ordered removed from Canada is entitled to due process before the law and all removal orders are subject to various levels of appeal.

Once legal avenues of recourse have been finalized, we expect the person to respect our laws and leave Canada or be removed.

The CBSA is committed to ensuring Canada's immigration laws are respected and to taking appropriate enforcement action to ensure the safety and security of the Canadian public.

Q. What are the next steps for those who were arrested?

The CBSA's mandate is to ensure that compliance with IRPA. Each case is unique and decisions are based on the specific facts in each case.

Q. What does CBSA do to prevent that from happening with others?

CBSA officers are diligent in determining the admissibility of travelers at ports of entry. Their decisions are based on the information they have at the time of entry.

The Criminal Investigations Division of the CBSA is responsible for investigating cases of alleged contravention of the *Customs Act* and the *Immigration and Refugee Protection Act*. When we become aware of situations where there is possible non-compliance of these acts, we investigate and take the appropriate action as mandated by Canadian law.

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Média: Radio Canada – Ottawa

Journaliste:

Coordinates: (

Échéance: Aujourd'hui avant 15 heures – heure de l'est.

E-mail: :

Reporter:

Media: CBC Radio Ottawa

Tel:

Email:

Deadline: 4:00 pm

Questions: See below.

Responses:

Q. What information lead you to organize this operation?

The original goal of the investigation was to identify victims of human trafficking.

Cette enquête avait pour but d'identifier des victimes de traite de personnes.

Q. What will happen to those who have been arrested in the operation?

The CBSA will take the appropriate measures against those who do not respect IRPA. Foreign nationals found to be working in Canada without proper authorization are in violation of the IRPA and may be issued a removal order and could be prosecuted.

L'ASFC prendra les mesures nécessaires contre les personnes qui ne respectent pas la *Loi sur l'immigration et la protection des réfugiés*. Les étrangers qui travaillent au Canada sans autorisation sont en contravention de la *Loi sur l'immigration et la protection des réfugiés* et pourraient faire l'objet d'une mesure de renvoi ou ils pourraient être poursuivis en justice.

Q. What is the country of origin of the people who were arrested?

The country of origin is not important as the fact that these individuals were working illegally and our actions are aimed at any person who does not comply with IRPA. Please contact the IRB for more information.

Le pays d'origine n'est pas pertinent. Ces individus travaillaient illégalement au Canada et les mesures prises par l'ASFC visent toutes les personnes qui contreviennent à la *Loi sur l'immigration et la protection des réfugiés*, peu importe leur pays d'origine. Veuillez communiquer avec la CISR pour des renseignements supplémentaires.

Q. When will those arrested be removed?

Any person subject to a removal order has the right to due process. All measures and decisions are subject to different levels of appeal. Once individuals have exhausted all legal avenues of recourse/due process, they are expected to respect our laws and leave Canada or be removed.

La décision de renvoyer quelqu'un du Canada n'est pas prise à la légère. Les personnes concernées ont droit aux recours prévus par la loi et ont accès à divers paliers d'appel. Toutefois, lorsque les recours sont épuisés, nous nous attendons à ce que la personne respecte les lois canadiennes et quitte le Canada ou elle sera renvoyée.

Q. Have some of those arrested already been removed?

All of the eleven people arrested were issued removal orders. It is not the practice of the CBSA to confirm/deny removal.

Les 11 personnes arrêtées sont visées par une mesure de renvoi. L'ASFC n'a pas pour habitude de confirmer ou de démentir le renvoi des personnes.

Q: Did these individuals have legal representation?

Yes, they all had legal representation.

Oui, toutes les personnes ont été représentées légalement.

Q: When was the last time that investigations into this industry took place in the Ottawa area?

Similar investigations took place in 2012 and in 2008 in Gatineau.

Des enquêtes semblables ont eu lieu en 2012 et en 2008 à Gatineau.

Q: What are the risks to these individuals in the countries they are being returned to?

Prior to removal, individuals may seek leave for judicial review, as well as administrative review procedures that assess the potential risk to the person of returning to the country of origin.

Pre-removal risk assessment is one of the safeguards in place to ensure people in need of protection are not removed. This assessment is conducted by officers of Citizenship and Immigration Canada.

While this particular case does not indicate evidence of human trafficking, when the CBSA receives information that indicates that an individual may be the victim of human trafficking, the case is referred to CIC for an assessment. In cases where human trafficking has occurred, victims have the option of obtaining a temporary residence permit (TRP). For more information regarding temporary residence permits for victims of human trafficking, visit the [CIC web site](#).

Everyone ordered removed from Canada is entitled to due process before the law and all removal orders are subject to various levels of appeal.

Once legal avenues of recourse have been finalized, we expect the person to respect our laws and leave Canada or be removed.

Avant d'être renvoyée, une personne peut tenter d'obtenir l'autorisation de présenter une demande de contrôle judiciaire ou d'examen administratif visant à évaluer le risque que présenterait pour elle le fait de retourner dans son pays d'origine.

L'examen des risques avant renvoi est l'une des mesures qui permettent d'éviter de renvoyer des personnes qui ont besoin de protection. Cette évaluation est effectuée par des agents de Citoyenneté et Immigration Canada.

Bien que ce cas particulier ne présente aucun indicateur de la possibilité de la traite de personnes, lorsque l'ASFC est avisée qu'une personne pourrait en être victime, le dossier est renvoyé à CIC aux fins d'évaluations. Dans les cas où il y a eu de la traite de personnes, les victimes ont l'option d'obtenir un permis de séjour temporaire. Pour en savoir plus sur les permis de séjour temporaire pour les victimes de traite de personnes, visitez le [site Web de CIC](#).

Une personne visée par une mesure de renvoi du Canada a droit à une application régulière de la loi et peut donc en appeler devant différentes instances judiciaires.

Une fois qu'une personne a épuisé tous ses recours légaux, elle est tenue de respecter la loi et de quitter le Canada ou d'être renvoyée.

Q: What sex are those arrested?

All are female.

Les personnes arrêtées sont toutes des femmes.

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Reporter:

Media: Metro Ottawa

Telephone:

Email:

Deadline: 5 pm today.

Responses:

-Have all of the women already been deported?

Foreign nationals found to be working in Canada without proper authorization are in violation of the IRPA and may be issued a removal order and could be prosecuted.

The CBSA lays charges when there is sufficient evidence to support convictions for deliberate or willful violations of the IRPA. All of the eleven people arrested were issued removal orders. Five individuals remain in detention and are scheduled for their next detention hearings on June 2, 3 and 5.

-What is their current immigrant status?

All eleven were found to be working without being in possession of a valid work permit under section 41 a), 30(1) of the *Immigration and Refugee Protection Act* (IRPA). As a result, they lost their status. As per section 47(b) of the IRPA, a foreign national loses temporary resident status when a determination is made by the Immigration Division that they have failed to comply with this act.

-Were they working in the sex industry?

Yes they were offering massages/sexual services.

-What community resources were made available to them after their detention?

-They were also been given the right to contact their embassy as per Vienna convention and all those arrests were able to get legal representation.

-Were any of the women victims of human trafficking?

No, the CBSA does not believe that any of those arrested were victims of human trafficking.

-Is the CBSA investigation in this matter closed?

The CBSA investigation is continuing.

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Media: Metro Ottawa (

Questions and Answers:

Q1. Have all of the women already been deported?

It is not the practice of the CBSA to confirm/deny removal. Foreign nationals found to be working in Canada without proper authorization are in violation of the IRPA and may be issued a removal order and could be prosecuted.

The CBSA lays charges when there is sufficient evidence to support convictions for deliberate or willful violations of the IRPA. All of the eleven people arrested were issued removal orders.

Q2. What is their current immigrant status?

All eleven were found to be working without being in possession of a valid work permit under section 41 a), 30(1) of the *Immigration and Refugee Protection Act* (IRPA). As a result, they lost their status. As per section 47(b) of the IRPA, a foreign national loses temporary resident status when a determination is made by the Immigration Division that they have failed to comply with this act.

Q3. Were they working in the sex industry?

They were offering massages/sexual services.

Q4. What community resources were made available to them after their detention?

Whenever an individual is arrested or detained, the *Canadian Charter of Rights and Freedoms* requires that a CBSA officer inform the individual of the reasons for their arrest or detention, their right to legal representation and their right to notify a representative of their government that they have been arrested or detained. For more information, see the information about arrests and detentions on the CBSA web site at: http://cbsa.gc.ca/security-securite/arr-det-eng.html#_s6.

Q5. Were any of the women victims of human trafficking?

While this particular case does not indicate evidence of human trafficking, when the CBSA receives information that indicates that an individual may be the victim of human trafficking, the case is referred to CIC for an assessment. In cases where human trafficking has occurred, victims have the option of obtaining a temporary residence permit (TRP). For more information regarding temporary residence permits for victims of human trafficking, visit the [CIC web site](#).

Q6. Is the CBSA investigation in this matter closed?

The CBSA investigation is continuing.




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Massage parlour, body rub investigation leads to 11 deportations

Canada Border Services Agency to deport women working in Canada without a valid permit

CBC News Posted: May 08, 2015 3:23 PM ET | Last Updated: May 08, 2015 3:26 PM ET

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Ottawa police say 11 women will be deported after a human trafficking investigation into commercial massage parlours and body rub facilities.

Police say they investigated 20 locations from April 27 to 29 resulting in 11 bylaw charges for improper licensing.

Canada Border Services Agency also detained 11 women for immigration-related matters who appeared for admissibility and detention hearings last week.

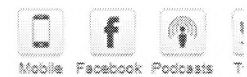
Removal orders were then issued for each woman.

All 11 were found to be working without a valid work permit, police said.

No criminal charges were laid but police said the border services investigation continues, which could spark more charges.

Ottawa police also said additional investigations were launched after the three-day bust.

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CBSA objective:

To identify potential victims of trafficking in persons (VTIP). Trafficking in Persons (TIP) is a crime which involves the recruitment, transportation or harbouring of persons for the purpose of exploitation (typically in the sex industry or forced labour). The types of trafficking include international TIP and domestic TIP. TIP may occur across or within borders, often involves extensive organized crime networks and violates the basic human rights of its victims. However, the core of TIP is exploitation of the individual and transportation within or across borders need not occur.

To assist in the safety and security of potential victims by referring them to appropriate government services.

If it is deemed that these individuals are not victims and simply entered Canada to make money on their own volition, CBSA officers will investigate the individual's status in Canada and determine if they are in violation of the Immigration and Refugee Protection Act (IRPA). CBSA will investigate if they were assisted in coming to Canada and entered Canada under false pretenses.



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SERVICE DE POLICE D'OTTAWA
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Joint Community Safety Initiative results in 11 persons found to be working without valid work permits

FOR IMMEDIATE RELEASE: Friday, May 8, 2015 2:50pm

(Ottawa)—The Ottawa Police Service (OPS) Human Trafficking Unit, Canada Border Services Agency (CBSA) and Ottawa Bylaw Services completed a three-day Joint Community Safety Initiative focused on commercial massage parlours and body rub facilities from April 27 to 29, 2015.

Twenty locations were inspected in the City of Ottawa resulting in 11 Bylaw charges for improper licensing.

Eleven women were detained by the CBSA for immigration-related matters and all appeared for admissibility and detention hearings last week. The detentions were maintained for eleven individuals and all were issued removal orders. All eleven were found to be working without being in possession of a valid work permit under section 41 a), 30(1) of the *Immigration and Refugee Protection Act* (IRPA).

The CBSA investigation is ongoing and additional charges may follow.

The Ottawa Police Human Trafficking Unit has opened a number of investigations, as a result of this initiative. Our goal continues to be the detection of possible cases of exploitation.

-30-

CONTACT:

Media Relations Section, Ottawa Police

Tel: 613-236-1222, ext. 5366

Chris Kealey